

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

12 CV 8143

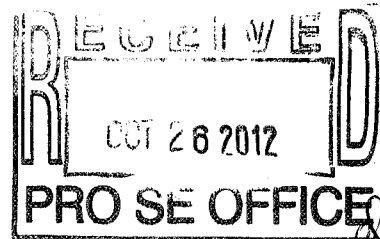
DAVID H. WEINFLASH

#2

(In the space above enter the full name(s) of the plaintiff(s).)

## COMPLAINT

-against-

KENNETH E. FINNEGANJury Trial: ☒ Yes ☐ No  
(check one)TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF  
NEW YORK

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

## I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name DAVID H. WEINFLASH  
 Street Address 435 RIVERSIDE DRIVE APT 21  
 County, City NEW YORK, NEW YORK  
 State & Zip Code NEW YORK 10025  
 Telephone Number (212) 749-5543

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name KENNETH E. FINNEGAN  
 Street Address 535 WEST 116TH ST  
 County, City NEW YORK, NEW YORK  
 State & Zip Code NEW YORK 10027  
 Telephone Number (212) 854-1754

Defendant No. 2 Name TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK  
 Street Address 90 MORNINGSIDE DRIVE  
 County, City NEW YORK, NEW YORK  
 State & Zip Code NEW YORK 10027  
 Telephone Number (212) 854-1754

Defendant No. 3 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

Defendant No. 4 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions

☐ Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

FIRST AND FOURTEENTH AMMENDMENTS  
TO THE CONSTITUTION OF THE UNITED STATES

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship \_\_\_\_\_

Defendant(s) state(s) of citizenship \_\_\_\_\_

**III. Statement of Claim:**

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? CAMPUS OF COLUMBIA UNIVERSITY (LERNER HALL), BROADWAY AND W. 115 TH ST

B. What date and approximate time did the events giving rise to your claim(s) occur? MAY 24, 2012 AT ABOUT 8:40 AM

C. Facts: I ARGUED WITH AN UNKNOWN PERSON IN LOBBY OF LERNER HALL. HE PICKED UP A NEWSPAPER RACK AND THREW IT AT ME. NYPD AND CAMPUS POLICE ARRIVED. ARGUMENT WAS OVER MY COMPLAINT TO CHRISTINA VEGA ABOUT HIS LOUD, CURSING ON HIS CELL A FEW FEET FROM ME. I WAS ANGRY ABOUT BEING MENACED WITH LARGE METAL OBJECT AND HEARING HIM CURSE ON HIS CELL. (SEE OVER)

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

UNKNOWN PERSON (BLACK, MALE, ABOUT 25 Y.O.)  
MY ASSAILANT

CHRISTINA VEGA, EMPLOYEE ON DUTY IN LOBBY OF LERNER HALL MY WITNESS  
THE ONLY WITNESS OF ARGUMENT AND CRIME

**IV. Injuries:**

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. NONE

## C. Continued

I SHOUTED TO MY ASSAILANT "IF YOU DON'T LIKE THE WORD 'NIGGER', WHY DO YOU USE IT SO MUCH." THIS REMARK WAS OVERHEARD BY CAMPUS COPS. ON THE BASIS OF THIS REMARK, I WAS BANNED FROM CAMPUS. I SAY MY REMARK WAS AN EXCITED OUTBURST APPROPRIATE TO THE SITUATION. I SAY COLUMBIA BANNED ME AND BRANDED ME A RACIST TO PLACATE THE "NEIGHBORHOOD," A.K.A HARLEM, WHERE COLUMBIA IS BUILDING A ~~SA~~ NEW CAMPUS.

FURTHERMORE, CAMPUS COPS CONSPIRED WITH NYPD TO OBSTRUCT JUDGMENT, PREVENT REPORTING THE CRIME AGAINST ME TO KEEP THEIR CRIME ~~SA~~ STATS GOOD. CAMPUS COPS AND NYPD ARE IN TIGHT. HEAD CAMPUS COP, JAMES F. MESHANE, IS V.P. OF COLUMBIA AND RETIRED NYPD, WHERE HE WAS COMMANDER OF 26TH PRECINCT, WHERE COLUMBIA IS LOCATED. COZY? I'LL SAY!

I TOOK ME 37 HOURS AND THE INTERVENTION OF NYPD INTERNAL AFFAIRS TO REPORT THE CRIME COMMITTED BY THE GUY, NOW KNOWN AS TO NAME AND WHEREABOUTS,

BY THE CAMPUS COPS.

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. \_\_\_\_\_

1. ORDER COLUMBIA TO END MY "PERSONA NON GRAIA ~~STAT~~ STATUS"
2. ORDER TO END ITS WAR OF PERSECUTION AGAINST ME WAGED ON MANY FRONTS TOO NUMEROUS TO LIST HERE, BUT GOING BACK TO AT LEAST 1999
3. AWARD ME \$100,000,000.00 IN COMPENSATORY, PUNITIVE, AND EXEMPLARY MONEY DAMAGES

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 26 day of OCTOBER, 2012.

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

*David J. Mungler*  
 435 Riverside Dr.  
 Apt 21  
 New York, NY 10025  
 (212) 749-5343

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

**For Prisoners:**

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_